

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Wei et al.

Docket No.: PF118D3C1

Application No.: Not Yet Assigned

Group Art Unit: N/A

Filed: Concurrently Herewith

Examiner: Not Yet Assigned

For: Human DNA Topoisomerase I Alpha

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references AA-BE listed on the attached Form PTO/SB/08.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding cDNA of this application are related to SEQ ID NOS: 24386, 45205, 50940, 28427, 676, 38813 and 15550 in copending U.S. Patent Application Serial No. 09/912,292, which is referenced as citation AA on the accompanying Form PTO/SB/08.

Copies of references AA-BE were submitted by Applicants or cited by the Examiner in connection with U. S. Patent Application Serial Nos. 09/325,430, filed June 4, 1999, 09/033,153, filed March 2, 1998 and/or 08/458,477, filed June 2, 1995, to which the instant application claims priority. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the files of U. S. Patent Application Serial Nos. 09/325,430, 09/033,153, and/or 08/458,477 for copies of references AA-BE.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning

the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

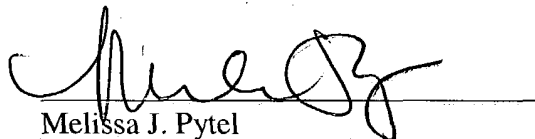
Identification of the listed reference(s) is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

This Information Disclosure Statement accompanies the new patent application submitted herewith. Accordingly, no fee is believed due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., Deposit Account No. 08-3425.

Respectfully submitted,

Dated: June 24, 2003



Melissa J. Pytel

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HUMAN GENOME SCIENCES, INC.

9410 Key West Avenue

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	Not Yet Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Ying-Fei Wei
Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket Number	PF118D3C1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-09/912,292		ROSEN et al.	Pages 1-75 (pages 1 & 2 partially redacted); portion of Table 2; and SEQ ID NOS:24386, 45205, 40940, 28427, 676, 38813, and 15550
	AB	US-5,723,311	03-03-1998	WEI et al.	
	AC	US-5,622,959	04-22-1997	PRIEL et al.	
	AD	US-6,255,077	07/2001	WEI et al.	
	AE	US-5,968,803	10/1999	WEI et al.	
	AF	US-5,070,192	12-03-1991	EARNSHAW et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	AG	WO-95/14772	06-01-1995			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AH	SUGIMOTO, Yoshikazu et al., "Decreased Expression of DNA Topoisomerase I in Camptothecin-Resistant Tumor Cell Lines As Determined By A Monoclonal Antibody," CANCER RESEARCH, Vol. 50, No. 20, pages 6925-6930, (1990).	
	AI	SVEJSTRUP, Jesper Q. et al., "New Technique For Uncoupling The Cleavage and Religation Reactions of Eukaryotic Topoisomerase I," JOURNAL MOL. BIOL., Vol. 222, pages 669-678, (1991).	
	AJ	LI, Chiang J. et al., "Beta-Lapachone, A Novel DNA Topoisomerase I Inhibitor With A Mode Of Action Different From Camptothecin," THE JOURNAL OF BIOLOGICAL CHEMISTRY, Vol. 268, No. 30, pages 22463-22468, (1993).	
	AK	ZHOU, Bing-Sen et al., Identification Of Antisense RNA Transcripts From A Human DNA Topoisomerase I Pseudogene", CANCER RESEARCH, Vol. 52, pages 4280-4285, (1992).	
	AL	CHEN, Allan Y. et al., DNA Minor Groove-Binding Ligands: A Different Class of Mammalian DNA Topoisomerase I Inhibitors," PROC. NATL. ACAD. SCI. USA, Vol. 90, pages 8131-8135, (1993).	
	AM	SAMUELS et al. "The predominant form of mamalian DNA topoisomerase I in vivo has a molecular mass of 100 kDa," Chemical Abstracts 121(9):428, Abstract No. 121:10266g (1994)	
	AN	SAMUELS et al. "The predominant form of mammalian DNA topoisomerase I invivo has a molecular mass of 100 kDa," Molecular Biology Reports 19(2):99-103 (1994)	
	AO	MADDEN et al. Cancer Research 52(1):525-532 (1992)	
	AP	Chemical Abstracts, Vol. 121, Abstract 1026227g	
	AQ	Genbank Accession No. T07355 (1993)	
	AR	Genseq Database entry, Accession No. T22535	
	AS	VOOIJIS et al. Am. J. Human Genet 52:586-597 (1993)	
	AT	WETMORE et al. Proc. Natl. Acad. Sci. 90:7461-7465 (1993)	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	Not Yet Assigned	
			Filing Date	Concurrently Herewith	
			First Named Inventor	Ying-Fei Wei	
			Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	2	of	2	Attorney Docket Number	PF118D3C1

AU	ODDOU et al. "Monoclonal antibodies neutralizing mammalian DNA topoisomerase I activity", Eur J. Biochem. 177(3):523-529 (1988)	
AV	BOST et al "Antibodies against a peptide sequence within the HIV envelope protein crossreacts with human interleukin-2," Immunol. Invest. 17(6-7):577-586 (1988)	
AW	BENDAYAN, M. "Possibilities of false immunocytochemical results generated by the use of monoclonal antibodies: the example of the antiproliferant antibody," J. Histochem. Cytochem. 43(9):881-6 (1995)	
AX	COLMAN, P.M. "Effects of amino acid sequence changes on antibody-antigen interactions," Res. Immunol. 145(1):33-36 (1994)	
AY	NGO et al "Computational complexity, protein structure prediction, and the Levinthal paradox in The Protein Folding Problem; Birkhauser, ch. 14, pp. 435-508 (1994)	
AZ	ABAZA et al. "Effects of amino acid substitutions outside an antigenic site on protein binding to monoclonal antibodies of predetermined specificity obtained by peptide immunization," J. Protein Chem. 11(6):687-698 (1992)	
BA	LEDERMAN et al. "A single amino acid substitution in a common African allele of the CD4 molecule ablates binding of the monoclonal antibody, OKT4," Mol. Immunol. 28(11):1171-1181 (1991)	
BB	LI et al. "beta-Endorphin omission analogs: dissociation of immunoreactivity from other biological activities," Proc. Natl. Acad. Sci. USA 77(6):3211-3214 (1980)	
BC	CAMPBELL, A. "General properties and applications of monoclonal antibodies. Elsevier Science Publishers; section 1.1, pp. 1-32 (1984)	
BD	HARLOW et al. "Antibodies: a laboratory manual"; Cold Spring Harbor, New York: Cold Spring Harbor Laboratory Press, p. 76 (1998)	
BE	D'ARPA et al. "cDNA cloning of human DNA topoisomerase I: catalytic activity of a 67.7-kDa carboxyl-terminal fragment," Proc. Natl. Acad. Sci. 85:2543-2547 (1988)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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